

TOWN OF INDIAN BEACH, NORTH CAROLINA

CODE SECTION / CRIMINAL PENALTY LISTING

The following table sets forth code (and uncodified ordinance) sections, violations of which impose a criminal penalty under G.S. 14-4(a). This listing excludes civil penalties and provisions imposing only civil (not criminal) fines and penalties.

CODE SECTION / ORDINANCE	DESCRIPTION OF CONDUCT	PENALTY
1-8	Unlawful amendment of code	Misdemeanor, penalty per G.S. 14-4 (max fine of \$500)
4-2	Illegal keeping of dangerous, destructive dogs	Default to General Penalty 1-45; max fine of \$500
4-3	Unlawful keeping of livestock and poultry	same
4-4	Unlawful permitting of owners to allow animals to roam at large, defecate on public property, etc.	same
4-5	Unlawful killing or trapping of birds in town limits	same
4-6	Unlawful riding or walking of horses, etc. on dunes and other public ways	same
6-44	Structure must be maintained in compliance with building code	same
6-45	Structure must be in compliance with state residential code	same
6-46	Structure must be in compliance with state mechanical code	same
6-47	Structure must be in compliance with state fuel gas code	same

6-48	Structure must be in compliance with state plumbing code	Default to General Penalty 1-45; max fine of \$500
6-49	Structure must be in compliance with state energy code	same
8-20	Unlawful operation of game room without a license	same
8-22	Permitting or conducting unlawful conduct in game rooms	same
8-23	Unlawful operation of game rooms	same
8-57	Operating as vendor, peddler, or solicitor without license	same
8-60	Requirements for transient vendors	same
8-61	Requirements for mobile food units	same
8-63	Unlawful sale of fresh, frozen, or previously frozen seafood	same
8-64	Prohibited door-to-door activities by vendors and peddlers	same
12-49	Cutting vegetation in beach protection zone w/o permit	same
14-2	Violation of fire code	same
14-3	Violation of fire scene general regulations	same
16-9	Failure to comply with flood damage prevention chapter regulations	same
16-68	General standards in all special flood hazard areas; compliance req'd	same
16-69	Specific standards in certain special flood hazard areas; compliance req'd	same
16-70	Compliance req'd of all subdivisions, mnfr home parks in special flood hazard areas	same

16-71	Standards for floodplains w/o established base flood elevations	Default to General Penalty § 1-45; max fine of \$500
16-72	Standards for floodplains w/ BFE but w/o established floodways or non-encroachment areas	same
16-73	Requirements re floodways and non-encroachment areas	same
16-74	Requirements in coastal high hazard areas	same
16-75	Standards in areas of shall flooding (AO zones)	same
20-19	Unlawful discharge of firearms and fireworks	same
20-20	Unlawful damaging of town property	same
20-21	Unreasonably loud or disturbing noise	same
20-22	Prohibited camping	same
20-23	Unlawful deposit of human waste	same
20-24	Unlawful beach bulldozing	same
20-52	Unlawful surfing in certain areas	same
20-53	Failure to operate surfboard w/o rope or leash	same
22-19	Unlawful placement of garbage or refuse on public property	same
22-20	Required provision of containers for placement of refuse and garbage	same
22-21	Unlawful accumulation of garbage and refuse	same
22-22	Unlawful to burn garbage without fire dept permit	same

22-23	Failure to remove construction debris in certain time	Default to General Penalty § 1-45; max fine of \$500
24-20	Unlawful excavation, opening, or digging to public streets, etc.	same
24-21	Damage to public street	same
24-22	Sidewalk construction without town permit	same
24-23	Unlawful house moving	same
24-24	Defacing town property	same
24-25	Permit required to construct driveway on public streets	same
24-26	Unlawful assembling on sidewalk or street without permit	same
24-27	Unlawful display of sale goods on public way	same
24-28	Unlawful obstruction of streets and sidewalks	same
24-29	Prohibited recreational activities on public streets	same
26-21	Obedience to traffic signs, etc.	same
26-23	Display of unauthorized traffic signs, signals, etc.	same
26-24	Interference with official traffic control signs, devices, etc.	same
26-26	Failure to obey police or fire dept officials' order or direction	same
26-28(d)	Failure to move illegally parked vehicle subject to citation	Misdemeanor, fine not to exceed \$25 and/or 1 day in jail
26-53	Unlawful abandonment of motor vehicle	Default to General Penalty § 1-45; max fine of \$500

Appendix A, Land Use, Part 1 Zoning		
Art. I-A Sec. 3	Vegetation requirements	Default to current General Penalty § 1-45; max fine of \$500
Art. I-A Sec. 5	Use within vegetated areas	same
Art. I-A Sec. 6	Landscape permit required	same
Art. III Sec. 1	Building and land use conformity w/ land use ordinance required	same
Art. III Sec. 2	Building height conformity w/ land use ordinance required	same
Art. III Sec. 3	Lot size conformity w/ land use ordinance required	same
Art. III Sec. 4	Yard use limitations must be in conformity with land use ordinance	same
Art. III Sec. 5	One principal building per lot, subject to exceptions	same
Art. III Sec. 7	Continuation of requirements for properties required	same
Art. IV Sec. 1	Non-conforming use, conditions for continuance	same
Art. IV Sec. 2	Off-street auto parking and storage requirements	same
Art. IV Sec. 4	Height limitations	same
Art. IV Sec. 5	Intersection visibility conditions	same
Art. IV Sec. 6	Side yard requirements for corner lots	same
Art. IV Sec. 7	Mobile homes, permit restrictions and exceptions	same
Art. V Sec. 1	General Business District (B-1) restrictions and regulations	same

Art. V Sec. 1A	Mobile homes and mobile home park requirements and design standards	Default to current General Penalty § 1-45; max fine of \$500
Art. V Sec. 3	General Residential District (R-15) uses and requirements	same
Art. V Sec. 4	Single-Family Residential District (R-25) uses and standards	same
Art. V Sec. 5	Residential Resort District (RR) uses and requirements	same
Art. V Sec. 6	Planned Development District (PD) uses and requirements	same
Art. V Sec. 7	Office & Professional District (O&P) uses and requirements	same
Art. VI Sec. 2	Group housing units, cert of occupancy required	same
Art. VI Sec. 7	Design standards for group housing projects	same
Art. VII Sec. 2	Building permit required	same
Appendix A, Land Use, Part 2 Subdivisions		
Sec. 11.3	Plat requirements	same
Sec. 11.4	Subdivision design standards and improvements	same
Appendix A, Land Use, Part 4 Sign		
Sec. 13.2	Signs must be permitted	same
Sec. 13.3	Required setback for signs	same
Sec. 13.4	Signs allowed within zoning districts; conditions and limits	same
Sec. 13.5	Signs allowed within C-M District	same

Sec. 13.6	Signs allowed within R-25 District; conditions and limits	Default to General Penalty § 1-45; max fine of \$500
Sec. 13.7	Signs allowed within RR District; conditions and limits	same
Sec. 13.8	Signs allowed within PD District; conditions and limits	same
Sec. 13.8A	Signs allowed within O&P District; conditions and limits	same
Sec. 13.9	General sign regulations and maintenance standards	same

NOTE re GENERAL PENALTY in CODE	
Code § 1-45(b) (established by Ord. of 6-14-2017) provides that in the absence of a specific penalty for a specific code violation, a code violation not only triggers a civil penalty <i>but also</i> shall be considered a misdemeanor which, upon conviction, results in a fine not more than \$500.00.	